

Chapter 33

PLANNING AND DEVELOPMENT*

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ARTICLE I. IN GENERAL

Sec. 33-1. Department established.

There is hereby created and established within and for the city a department to be known as the department of planning and development.
(Code 1968, § 33-1; Ord. No. 84-326, § 2, 2-28-84)

Sec. 33-2. Director—Generally.

The office of the director of the department of planning and development is hereby created. Such director shall be the head of such department and shall be appointed by the mayor with the approval of the city council.
(Code 1968, § 33-2; Ord. No. 84-326, § 2, 2-28-84)

Charter reference—Appointment of heads of administrative departments, Art. VI, § 7a.

Cross reference—Officers and employees generally, § 2-21 et seq.

Sec. 33-3. Duties.

The department, under the supervision of the director, is charged with the responsibility for the preparation of all plans, drawings and reports on all matters within the jurisdiction of the department and shall perform such other duties as may be assigned by the commission and the city council.
(Code 1968, § 33-3; Ord. No. 84-326, § 1, 2-28-84; Ord. No. 90-635, § 73, 5-23-90; Ord. No. 91-63, § 1, 1-9-91; Ord. No. 93-514, § 52, 5-5-93; Ord. No. 98-613, § 61, 8-5-98; Ord. No. 02-399, § 76, 5-15-

***Charter reference**—Platting, Art. I, § 3.

Cross references—Location restrictions for establishments dealing in alcoholic beverages, § 3-2; location restrictions for kennels, § 6-126; location restrictions on keeping fowl, § 6-31; location restrictions for rabbits and guinea pigs, § 6-32; location restrictions on keeping of wild animals, § 6-51; keeping of wild animals prohibited on certain property, § 6-53; location restrictions on keeping of milch goats, § 6-12; location restriction on keeping cattle, § 6-13; offstreet parking requirements for airports, § 9-34; oil and gas exploration, etc., at George Bush Intercontinental Airport/Houston (IAH), § 9-261 et seq.; buildings, Ch. 10; house numbering, § 10-211 et seq.; restriction on location of abattoirs or slaughterhouses, § 10-271 et seq.; restrictions on location of automobile storage lots, automobile wrecking and salvage yards and lots used for open storage by junk dealers and secondhand dealers, § 28-34; flood hazard areas, Ch. 19; location restrictions for piers, § 23-35; manufactured homes, manufactured home parks, travel trailers, motor homes, etc., Ch. 29; oil and gas wells, Ch. 31; sexually oriented enterprises, § 28-35; subdivisions, Chs. 41, 42.

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02; Ord. No. 02-528, § 14m., 6-19-02; Ord. No. 04-1015, § 23, 9-27-04; Ord. No. 04-1075, § 9, 10-20-04)

Sec. 33-4. Definitions.

For the purposes of this chapter the following terms, phrases and words will have the following meanings:

Commission shall mean the city planning commission.

Department shall mean the department of planning and development of the city.

Director shall mean the director of the department of planning and development of the city.

Neighborhood shall mean a particular community, district or geographic area.

Zoning shall mean a system of land use regulation including, but not limited to, the designation of specific parcels or areas of land where the use, or the performance or development standards affecting such use, are or may be prescribed to achieve the goals of an approved comprehensive plan for the unique circumstances of the city. (Ord. No. 91-63, § 2, 1-9-91)

Secs. 33-5—33-13. Reserved.

ARTICLE II. PLANNING COMMISSION*

Sec. 33-14. Created.

There is hereby created a commission composed of 25 members. Four of the 25 members shall be nonvoting ex officio members. The director or, in his or her absence or inability to act, a deputy director or assistant director of the department shall serve as ex officio member and secre-

*Editor's note—Section 3 of Ord. No. 91-63, adopted Jan. 9, 1991, amended Art. II to read as herein set forth. Prior to such amendment, Art. II, §§ 33-14—33-22, pertained to the planning commission and derived from §§ 33-14—33-22 of the 1968 Code and Ord. Nos. 77-364, 78-2349, 84-326, 86-463, 88-1238, 89-933 and 90-635.

Cross reference—Boards, commissions and authorities, generally, § 2-316 et seq.

Note—Ord. No. 95-104, § 1, adopted Jan. 25, 1995, changed name of this article from "planning and zoning commission" to "planning commission."

tary to the commission. The three additional ex officio members shall be (1) the director or, in his or her absence or inability to act, a deputy director or assistant director of the department of public works and engineering; (2) a designee of the Board of Directors of the Metropolitan Transit Authority of Harris County, Texas, and (3) the most recent former chair of the commission. In the event that the most recent former chair of the commission is unable or unwilling to serve as an ex officio member of the commission, any former member of the commission with five years experience on the commission may be appointed by the mayor, subject to confirmation by the city council, to serve in the former chair nonvoting ex officio position. The members of the commission, as same may exist from time to time, shall hereafter serve both as the zoning commission and as the planning commission. The director may request that directors of other city departments or their designees meet with the commission from time to time when the commission has business affecting their departments.

(Ord. No. 91-63, § 3, 1-9-91; Ord. No. 05-14, § 1, 1-5-05)

Sec. 33-15. Qualifications, appointment and terms of members.

(a) Four members of the commission shall be ex officio members as specified in section 33-14 of this Code and do not need to be residents or qualified voters of the city. In addition, three members of the commission may be appointed, one each, from the membership of the Commissioners' Courts of Harris County, Texas, Fort Bend County, Texas, and Montgomery County, Texas, whether or not the appointees are residents or qualified voters of the city or residents of the city's extraterritorial jurisdiction. Two members of the commission shall be residents of the city's extraterritorial jurisdiction. The remaining 16 members shall be residents and qualified voters of the city. As far as practicable, these 16 nominated and confirmed members of the commission shall be representative of the ethnic and geographical demography of the city. The determination by the city council that the members of the commission meet the qualifications set forth in this section shall be final.

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(b) If a commission member, except for the ex officio members and any representative from the membership of the commissioners' courts provided in subsection (a) above, removes his or her actual residence from the city or the city's extra-territorial jurisdiction, as applicable, during the term of his or her appointment, such person shall be disqualified to hold such position, and the position shall become vacant effective simultaneously with such change in residency.

(c) The members of the commission, other than the ex officio members, shall be appointed by the mayor, subject to confirmation by the city council. All appointments will be for two-year staggered terms. Each commissioner shall continue to act after the end of his or her term until a successor is appointed and confirmed.

(d) Within 12 months after the population within the city's extraterritorial jurisdiction in Waller County exceeds 25,000 persons, according to the most recent federal census, one member of the commission shall be appointed from the membership of the Commissioners' Court of Waller County, Texas. At such time the number of commission members will be increased by one.

(e) Within 12 months after the population within the city's extraterritorial jurisdiction in Liberty County exceeds 25,000 persons, according to the most recent federal census, one member of the commission shall be appointed from the membership of the Commissioners' Court of Liberty County, Texas. At such time the number of commission members will be increased by one.
(Ord. No. 91-63, § 3, 1-9-91; Ord. No. 92-1046, §§ 1, 2, 7-29-92; Ord. No. 05-14, § 2, 1-5-05)

Sec. 33-16. When county engineer to serve as member.

A county engineer may serve as a member of the commission in the absence of the member representing his county commissioners court whenever a member of that court is serving as a duly appointed member of the commission. For purposes of this section, a "county engineer" shall mean the person officially designated as the county engineer or such other employee of the county

engineering department who is designated as an alternate by the member representing his commissioners' court.

(Ord. No. 91-63, § 3, 1-9-91; Ord. No. 99-1146, § 1, 10-27-99)

Sec. 33-17. Compensation.

The members of the commission, in the performance of their duties as such, shall serve without compensation.

(Ord. No. 91-63, § 3, 1-9-91)

Sec. 33-18. Chairman.

The chairman of the commission shall be selected from the commission and elected by a majority of the entire commission for a term of one year. An individual may serve for not more than six consecutive years as chairman.

(Ord. No. 91-63, § 3, 1-9-91; Ord. No. 95-105, § 1, 1-25-95)

Sec. 33-19. Quorum.

Eleven members of the commission shall constitute a quorum; however, in the event of vacancies on the commission, a majority of the members of the commission, or of the membership of the commission as expanded pursuant to section 33-15(d) or (e), which, in any event, may include the secretary of the commission, shall constitute a quorum for the transaction of business.

(Ord. No. 91-63, § 3, 1-9-91; Ord. No. 05-14, § 3, 1-5-05)

Sec. 33-20. Committees.

The commission may form committees, including persons not on the commission, to assist it in the discharge of its responsibilities.

(Ord. No. 91-63, § 3, 1-9-91)

Sec. 33-21. Absence from meetings.

Three successive unexcused absences from the regularly scheduled meetings, after due notice served by telephone or mail of the time and place of such meetings, shall ipso facto terminate membership on the planning commission. Absences

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may be excused only by a majority of the commissioners present and voting at any scheduled meeting.

(Ord. No. 91-63, § 3, 1-9-91; Ord. No. 95-104, § 1, 1-25-95)

Sec. 33-22. General powers and duties.

(a) The commission shall have power and it shall be its duty:

- (1) To exercise all powers of a planning commission and a zoning commission as set forth in Chapters 211 and 212 of the Texas Local Government Code.
- (2) To adopt a comprehensive plan in conformance with the provisions of the Texas Local Government Code, section 211.004, and as defined herein, and recommend it to city council for its approval.

(b) Additionally, in order to achieve (a)(1) and (2) above, the commission shall have the power:

- (1) To make plans and maps of the whole or any portion of the city and of any land outside the city which, in the opinion of the commission, bears a relation to the planning of the city, and to make changes in, additions to and extensions of such plans or maps when it deems same advisable. The commission may adopt a plan as a whole by a single resolution, or may, by successive resolutions, adopt successive parts of the plan, such parts corresponding to geographical sections of the city, as determined by the commission at any time or from time to time, or to functional divisions of the subject matter of the plan, as determined by the commission at any time or from time to time, and may adopt any amendment or extension thereof or addition thereto. Before the adoption of the plan or any such part, amendment, extension or addition, the commission shall hold at least one public hearing thereon after not less than 15 days' notice published in a daily newspaper of general circulation printed in the city. The adoption of the plan shall be by resolution carried by the affirmative votes of not less than a majority of the commission. The

adoption of any part, amendment, extension or addition, shall be by resolution carried by the affirmative votes of not less than a majority of the commission members present and voting at any scheduled meeting. The resolution may refer expressly to the maps and descriptive and other materials intended by the commission to form the whole or part of the plan, and the action taken shall be recorded on the map or plan and descriptive matter by the identifying signatures of the chairman and the director. An attested copy of the plan or part thereof shall be presented to the council for its review. The council, by ordinance, may adopt a plan designated as a comprehensive plan or a portion of a comprehensive plan as proposed by the commission.

- (2) To make studies and project plans for the improvement of the city with a view to its future development and extension.
- (3) To act with and assist all other municipal and governmental agencies and especially the city council in formulating and executing proper plans of municipal development.
- (4) To select and recommend to the city council routes of transportation corridors and particularly to investigate and recommend the opening, widening or abandoning of streets, or the changing thereof to conform with the city's system, present and future, of streets, avenues, parks and parkways.
- (5) To investigate, consider and report to the city council upon the layout or platting of new subdivisions of the city or of property adjacent to or near the city when requested by the city council to do so, and to perform all duties imposed upon planning and development commissions by chapter 42 of the Code of Ordinances, Houston, Texas and the statutes of the state.
- (6) To recommend plans to the city council in agreement with the director of the parks and recreation department for improving, developing, expanding and beautifying the

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parks, parkways, bayous and streams in or adjoining the city and to cooperate with the city council and the other agencies of the city in devising, establishing, locating, improving, selecting, expanding and maintaining the public parks, parkways, playgrounds and places for public recreation.

- (7) To propose zoning to implement comprehensive plans or parts thereof pursuant to the provisions of state law and this chapter.
- (8) To propose neighborhood zoning districts and a process for the mayor to appoint neighborhood advisory committees to be consulted in connection with zoning changes.
- (9) In conjunction with the traffic and transportation division of the department of public works and engineering, or a city department charged with that responsibility, to make recommendations to the city council concerning traffic regulation and control which directly affect the proper functioning of the planning and development programs adopted by the city council.
- (10) Generally to investigate, consider and recommend to the city council all matters for the development and advancement of the city's physical layout and appearance.

(Ord. No. 91-63, § 3, 1-9-91; Ord. No. 93-514, § 53, 5-5-93)

Editor's note—Ord. No. 93-514, § 53, adopted May 5, 1993, contained a provision to amend the Code designated as § 33-32(b)(9). Inasmuch as this provision pertained to 33-22(b)(9), its has been redesignated as such, at the discretion of the editor.

Sec. 33-23. Rules, regulations and bylaws.

The commission shall, subject to the approval of the city council, make such rules and regulations and adopt such bylaws for its own governance and designate such times and places for holding meetings as it deems proper.

(Ord. No. 91-63, § 3, 1-9-91)

Sec. 33-24. Commission meetings.

(a) The commission shall adopt a regular meeting schedule and shall give public notice of the meeting schedule by publication for three consecutive days in a daily newspaper of general circulation within the city and the area of extraterritorial jurisdiction. The commission may change this meeting schedule by the adoption of a new schedule, the effective date of which shall not be less than ten days after publication of the new schedule for three consecutive days in a daily newspaper having general circulation within the city and the area of extraterritorial jurisdiction. The commission may, by rule, designate the times and places for holding meetings as it deems proper.

(b) The commission may hold a special meeting for any purpose except for the filing of any plats or replats pursuant to chapter 42 of this Code.

(c) The commission shall hold at least one public hearing prior to the adoption of the major thoroughfare and freeway plan or any amendments thereto. The commission may establish rules governing the circumstances under which it will call public hearings and the reservation of time for speaking. All such rules shall grant reasonable opportunity for the public to be heard on matters within the jurisdiction of the commission.

(Ord. No. 99-262, § 3, 3-24-99)

Sec. 33-25. Annual major thoroughfare and freeway plan review.

Each year, on or before the first day of September, the commission shall prepare and submit to the city council a major thoroughfare and freeway plan adopted with the concurrence of the public works and engineering department. The commission may, from time to time, and shall upon the petition of any interested property owner, consider an amendment to any portion of the major thoroughfare and freeway plan relating to deleting, realigning or reclassifying streets designated on the major thoroughfare and freeway plan or adding one or more streets to the plan. An amend-

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ment approved by the commission shall not be
effective unless and until approved by the city
council.

(Ord. No. 99-262, § 3, 3-24-99)

Secs. 33-26—33-50. Reserved.

ARTICLE III. COMPREHENSIVE PLANNING AND ZONING

Sec. 33-51. Findings.

The city council finds and declares that:

- (1) The continued growth and development of the city will require the establishment of a comprehensive planning process to guide the future development and redevelopment of the city.
- (2) The creation of a comprehensive planning process will allow the city to establish a continuing process of defining the city's needs, establishing goals to meet those needs and the development of public policies and programs to meet those goals.
- (3) The comprehensive planning process will establish a system for all the city's diverse ethnic and cultural communities to participate in the identification of the city's needs, and the establishment of goals and policies to promote quality growth, protection of the environment, community livability, revitalization and economic development.
- (4) The comprehensive planning process will provide a means for enhancement and protection of aesthetic qualities of the city including design of civic structures, streets and public spaces, planning for preservation and development of bayous as aesthetic and recreation resources, preservation of historic places, encouragement of landscaping and reduction of visual blight.
- (5) The comprehensive planning process will provide a means for county-wide and regional governmental entities to coordinate with the city the planning and implementation of improvement programs for infrastructure, mobility, land use, environmental quality, and social and governmental service programs in a more efficient, systematic, and cost-effective manner.
- (6) The comprehensive planning process will provide an open, inclusive public policy-making process that will eliminate exclusion based upon race, color, creed or national origin.
- (7) In order to accommodate, facilitate and encourage desirable growth and development, the comprehensive plan will analyze the city's existing and potential growth and development, evaluate desirable patterns and directions of growth and development and utilize such information as a foundation for capital improvements, transportation, utilities and community services planning.
- (8) The comprehensive plan's encouragement of private growth and development coordinated with public investment and services can substantially and materially increase the efficiency of government.
- (9) In addition to guiding public investment and services, the comprehensive plan will serve as the basis for the adoption of a zoning ordinance to regulate land use so that growth and development is coordinated with public investment and the public provision of capital improvements, transportation, utilities and community services. Other implementation measures shall be used to enforce components of the comprehensive plan as adopted.
- (10) The commission, in the development of a comprehensive plan and any recommended zoning ordinance, should:
 - a. Provide protection for the city's residential neighborhoods by:
 1. Prohibiting future incompatible uses;
 2. Providing for amortization or "grandfathering" of existing non-conforming uses;
 3. Utilizing performance standards and use limitations within residential and adjoining neighborhoods; and
 4. Eliminating nuisances, as defined by law.
 - b. Complement existing deed restrictions for residential areas.
 - c. Allow landowners to use their land as desired but with consideration for its impact on neighboring areas and in conformity with the city's comprehensive plan.

- d. Establish a system for zoning administration that respects each individual's right of privacy.
 - e. Provide a process which will encourage the involvement of residents and property owners in the determination of land use in their area.
 - f. Provide for the reasonable notice to property owners and residents of any proposed changes in the comprehensive plan, or zoning classification or variances in their neighborhood, and an opportunity for participation in the process.
 - g. Provide for clear, simple, fair, and apolitical zoning administration, establishing and maintaining streamlined procedures for the review and approval of development applications, with clearly stated time frames for processing and acting upon permit applications, and minimizing potential adverse effects on the costs of development. Zoning ordinances should be structured so that permit applications which comply with planning regulations and land use regulations will be entitled to expeditious approval.
 - h. Recommend an adequate level of city staff supported by an adequate budget to administer the planning and zoning process.
 - i. Provide procedures and policies which will not adversely affect the supply of affordable housing.
 - j. Promote a vital and vibrant central business district as defined in chapter 42 of this Code and promote the revitalization of the inner city.
 - k. Promote development quality and flexibility by designating, subject to council approval, districts for special purposes such as, but not limited to, planned development districts, urban villages and special districts for theatres, museums, historic preservation and scenic areas.
- (11) The city council is authorized to adopt a comprehensive plan under the provisions

of Chapters 211 and 212 of the Local Government Code to guide its regulation of future development and redevelopment.

- (12) In order for the city council to consider the adoption of a zoning ordinance, it must first appoint the commission to act as a zoning commission to prepare a preliminary report, conduct public hearings and then provide a final report to the city council.
 - (13) The most efficient means to establish a zoning commission is to appoint the existing planning commission to exercise the additional duties and responsibilities of a zoning commission.
 - (14) Under state law, the city council may appoint the planning commission to serve as the zoning commission, and may designate such body as the planning commission.
 - (15) The city council wishes to receive from the planning commission specific reports and recommendations on the most expeditious, efficient and advantageous way to create, implement and maintain a comprehensive plan, along with a zoning system unique to Houston's needs and other reasonable implementation measures for the city.
- (Ord. No. 91-63, § 4, 1-9-91; Ord. No. 95-104, § 1, 1-25-95)

Sec. 33-52. Initial duties and responsibilities with regard to comprehensive planning and zoning of the planning commission.

The commission shall perform the following duties as specifically provided below or as soon as reasonably possible:

- (1) On or before three months from January 9, 1991, the commission shall present to council for its approval a plan offering initiatives that can, within six months from January 9, 1991, materially support the maintenance of neighborhood integrity. The plan should include staff and funding requirements.
- (2) On or before six months from January 9, 1991, the commission will submit to council for its approval a work plan for each of the

elements of a comprehensive plan. Each work plan will be submitted to council as completed and will provide:

- a. If appropriate, a prioritized list of tasks integral to each element and an analysis of task dependency to determine task sequence.
 - b. A suggested period of time appropriate to complete the element and each task necessary for its completion.
 - c. An estimate of staff requirements to complete each element.
 - d. The estimated cost to the city to complete each element (if outside consultants are recommended an estimate of cost should be included).
- (3) Pursuant to work plans as approved by council, the commission shall begin preparing the comprehensive plan. The elements of a comprehensive plan will include, but will not be limited to, the following:
- a. A draft statement of community goals for Houston's future.
 - b. A detailed database including land use, population characteristics, demographics, employment information, local and regional economic growth trends, the needs for public facilities and services, and a program for the maintenance of this database.
 - c. A long-range planning process that continuously establishes a statement of needs, goals and planning alternatives for the next 30 years, to be updated every five years and revised every 15 years.
 - d. A statement of urban growth policies for the city including, but not limited to, policies related to transportation, the environment, growth patterns, safety, health, education, public utilities, finances and services, the preservation of historic resources, and the improvement of deteriorated areas. The plan should consider growth over the next 30 years, and should include any possible alternative growth patterns that take into account such general concepts as land uses and transportation systems.
 - e. A transportation plan and a land use plan in conjunction with State of Texas, County of Harris and the metropolitan transit authority that complements the goals statement, the urban growth policies and other elements of the comprehensive plan.
 - f. An economic development policy which should be designed to promote economic vitality and balanced growth for the city and region.
 - g. A community facility policy which should describe existing facilities (police, fire, emergency service, special services, library, health facilities, etc.) and indicate the size and appropriate location of future facilities.
 - h. Policies for utilities and infrastructure which will describe existing facilities, program improvements and strategies for improvement to be provided commensurate with development. Infrastructure policies should address water, wastewater, stormwater, electric and gas utilities, flood facilities, solid waste, recycling, hazardous waste, communication and transportation facilities.
 - i. An environmental analysis which should include a description of existing resources and policies and strategies for conservation and enhancement of environmental quality contemplating the city adoption of coordinated policies and standards, consistent with those of other governmental agencies, applicable to the region.
 - j. Recommended zoning ordinances, regulations, and other measures to implement the comprehensive plan.
- (4) Following the commencement of the comprehensive planning process and on or

before January 9, 1993, the commission shall present to council for its preliminary approval:

- a. Proposed zoning regulations providing strategies, controls and approaches, including buffering, for the protection of residential neighborhoods in accordance with the comprehensive plan as completed to date and as required by Chapter 211 of the Texas Local Government Code; and
 - b. A draft plan for the division of the city into geographically defined zoning districts, including but not limited to, residential and other zones.
- (5) Within six months following approval of subsections (4)a. and (4)b. above, the commission shall present a recommended zoning ordinance, including a zoning map, for adoption by the city council under the provisions of Chapter 211 of the Texas Local Government Code.
- (6) Plans, policies, and recommendations developed pursuant to the provisions of this chapter, when complete, may be implemented before completion of the comprehensive plan in its entirety.

(Ord. No. 91-63, § 4, 1-9-91; Ord. No. 92-928, § 1, 7-1-92)

Editor's note—Section 33-52 as added by § 4 of Ord. No. 91-63, adopted Jan. 9, 1991, contained subsections lettered a.—f. In order to maintain consistent style of this article, said subsections have been renumbered respectively as (1)—(6) at the editor's discretion.

Secs. 33-53—33-70. Reserved.

ARTICLE IV. CITY SURVEYS*

DIVISION 1. GENERALLY

Sec. 33-71. City surveys confirmed.

The original plan and survey, known and designated as the A.C. & J.K. Allen Survey, as far as

***Editor's note**—Section 5 of Ord. No. 91-63, adopted Jan. 9, 1991, provided that former Art. III of Ch. 33 be redesignated as Art. IV and the sections therein renumbered accordingly; hence, former § 33-51 and 33-61—33-66 were renumbered as §§ 33-71 and 33-81—33-86, respectively.

marked by actual measurements, and so far as revised, reestablished and determined by the surveys of W.H. Griffin, C.E., under and by resolutions of the city council, shall be and is hereby affirmed and established as the true city survey of the city. The theory, survey and plat, as marked on W.E. Wood's map, as to the dimensions of lots, blocks and widths of streets, is also confirmed in each and every particular.

(Code 1968, § 2-4; Ord. No. 91-63, § 5, 1-9-91)

Secs. 33-72—33-80. Reserved.

DIVISION 2. OFFICIAL SURVEY SYSTEM†

Sec. 33-81. Generally.

(a) As used in this article, the term "official coordinate system" shall mean the standard system of coordinates and elevations based upon the National Oceanic and Atmospheric Administration data known as the Texas State Plane Coordinate Grid System of 1983 (also known as the Texas Coordinate System of 1983) or such newer system as may be recognized by the state.

(b) Pursuant to Chapter 21, Subchapter D, of the Texas Natural Resources Code, the city hereby adopts the official coordinate system for surveys in the city.

(Ord. No. 03-1292, § 2, 12-17-03)

Sec. 33-82. Adoption of official maps and records of survey markers.

There are hereby adopted as a part of this Code, as fully as if set out at length herein, the maps developed as part of the City of Houston's

†Editor's note—Ord. No. 03-1292, § 2, adopted Dec. 17, 2003, amended Div. 2, §§ 33-81—33-86 in its entirety. Formerly said sections pertained to similar subject matter and derived from Code 1968, § 2-182 and subsequent amendments.

The provisions of Division 2 of Article IV of Chapter 33 of the Code of Ordinances, Houston, Texas, as amended are saved from repeal for the limited purpose of their continuing application to any requirement relating to a survey performed before the effective date of this section [1-1-04], provided that any plat, map or other document relating thereto must be initially filed with the City by the 180th day next following the effective date of this section.

Cross reference—Numbering of buildings, § 10-211 et seq.

Survey, Monumentation and Mapping Program. Each map is hereby declared to be an official map and an official record of the city. The official copy of each of such maps shall be kept and maintained in the department of public works and engineering and shall be available at all reasonable hours for inspection by the public. Employees of the department are authorized to cause copies of such maps and separate sheets within such records to be prepared and made available for sale to the public. As official custodians of the official copy of each such map, the employees of the department are authorized, upon application of any person, to issue a copy of any such map. In addition to the established sale price of the copy of the map, a fee of \$1.00 payable to the city shall be charged and collected for certifying such copy.

(Ord. No. 03-1292, § 2, 12-17-03)

Sec. 33-83. Requirements for survey methodology.

Each survey shall be performed by reference to the National Spatial Reference System and the city's continuously operating reference system.

(Ord. No. 03-1292, § 2, 12-17-03)

Sec. 33-84. Approval of subdivision maps by planning commission.

Every subdivision plat tendered to the planning commission of the city for its approval, prerequisite to being recorded with the county clerk, shall be based upon a survey upon the ground which must be based on the official coordinate system.

(Ord. No. 03-1292, § 2, 12-17-03)

Sec. 33-85. Surveys and construction plans by city departments and surveyors employed by the city.

Every survey made by personnel of the department of public works and engineering or by any person performing surveying under contract with the city or by any person performing surveying work for any other political subdivision with which the city may hereafter contract relative to

the construction of public works of any description wherever located, shall be based on the official coordinate system.

(Ord. No. 03-1292, § 2, 12-17-03)

Sec. 33-86. Surveys made by public utilities and others using streets.

Any telecommunications company, telegraph company, electric company, gas company, cable television company or other public utility of any kind (similar or dissimilar), lawfully possessed of the privilege of using the streets of the city for public utility installations, and any and all other persons having lawful permission from the city under general ordinances (including, without limitation, the Construction Code) or special ordinances to use either the surface or subsurface of any of the streets for any installation of any kind (including, without limitation, sewers, pipelines and waterlines) shall, in making its survey incident to the installation, when a survey is required by other applicable rules, regulations or ordinances of the city, base the survey on the official coordinate system. The map of the survey so made shall be filed with the department of public works and engineering when the application for permit for the installation is made.

(Ord. No. 03-1292, § 2, 12-17-03)

Secs. 33-87—33-100. Reserved.